IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:

Bauer et al.

Confirmation No.: To be assigned

Appl. No.:

Filed Herewith Filed Herewith

Art Unit: Examiner: To be assigned To be assigned

Filed: For:

COSMETIC OR DERMATOLOGICAL STICK

Mail Stop Patent Application Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT CITATION UNDER 37 C.F.R. § 1.97

Sir:

Attached is a list of documents on form PTO-1449. In accordance with the Office waiver published July 11, 2003, copies of the cited U.S. patents and patent application publications are not enclosed. Applicant does enclose copies of any cited foreign patent documents and nonpatent literature in accordance with 37 CFR 1.98(a)(2).

It is requested that the Examiner consider these documents and officially make them of record in accordance with the provisions of 37 C.F.R. § 1.97 and Section 609 of the MPEP. By submitting the listed documents, Applicant in no way makes any admission as to the prior art status of the listed documents, but is instead submitting the listed documents for the sake of full disclosure.

Respectfully submitted,

Andrew T. Meunier Registration No. 40,726

Customer No. 00826 ALSTON & BIRD LLP

Bank of America Plaza 101 South Tryon Street, Suite 4000 Charlotte, NC 28280-4000 Tel Atlanta Office (404) 881-7000 Fax Atlanta Office (404) 881-7777

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Substitute for form 1449/PTO (Revised 04/2003)					Complete if Known							
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Initials*	No.	Number - Kind Code (if known)		MM-DD-YYYY		Applicant of Cited Document		Relevant Passages of Relevant Figures Appear				
	1	US-3,957,969		05-18-1976		Fujiyama et al.						
	2 US-5,085,856 3 US-5,538,718			02-	-04-1992		Dunphy et al.					
			US-5,538,718		07-23-1996		Aul et al.					
	4 US		S-6,613,338 B1		09-02-2003		Schreiber et al.			•••		
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Examiner Initials	Cite No.		Foreign Patent Document untry Code - Number Kind Coknown)	Publication E MM-DD-YY		YYY .	ite Name of Patentee or		Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear		English Language Translation Attached	
	5	EP 1 036 553 A2		09-20-2000			Shiseido Company Limited					
	6	EP	EP 1 064 908		01-03-200		Intercos Italia S.p.A.					
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Examiner Initials					in CAPITAL LETTERS), title of the article (when appropriate), title of armal, serial, symposium, catalog, etc.), date, page(s), volume-issue di/or country where published.							
	7	7 International Search Report of dated February 21, 2003		rom corresponding International Application No. PCT/EP02/10904,								
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^{*}Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.